

Montana Newsletter

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montana community news

from the
department of
community
affairs

volume 1
number 3



january 1979

What's the best way to keep up-to-date during the legislative session? While we'll do our best with the Community News, this monthly publication probably won't be timely enough for the majority of our readers.

Fortunately, the Legislative council operates a legislative information line, which can be an excellent source of information for you. Call to find the status of bills, the schedule of committee meetings, or just about any question you have about the legislature. You can even request copies of bills you're interested in.

If you're in Montana, the line is toll-free: dial 1-800-332-3408, or 449-5553 if you're in Helena. The legislative information line is open Monday through Saturday during the session, from 7:30 a.m. to 6:00 p.m.

If you want to speak directly to a legislator, or leave a message for one, call the legislative switchboard at 449-5500 (not toll-free); it's usually open when the legislators are meeting.

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Speeding May Cost State Millions

Montana may lose millions of dollars if too many drivers break the 55-mph speed limit.

The recently enacted Surface Transportation Assistance Act of 1978 set goals for the percentage of motorists in a state that obey the 55-mph limit—and set stiff penalties for states that fail to meet those goals.


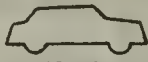
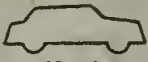
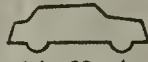

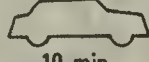
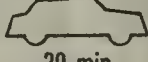
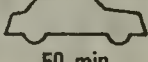
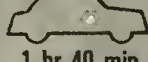
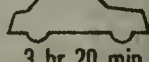
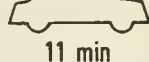
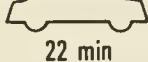
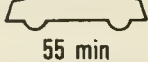
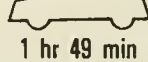
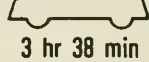
<i>Fiscal year ending</i>	<i>if % of vehicles speeding exceeds</i>	<i>penalty</i>
9-30-79	70%	5%
9-30-80	60%	5%
9-30-81	50%	5%
9-30-82	40%	10%
9-30-83	30%	10%

Luckily, only about 57% of Montana's motorists exceeded the 55-mph limit in 1977, down from 77% in 1973, the year the limit was imposed. So, if drivers continue their present habits, Montana won't face a penalty until 1980.

ASSOCIATE PLANNER position available. Requires a degree in city planning or related field and 1 year of experience with local government. Will be responsible for transit development plan and related UMTA programs, but no previous transit experience necessary. Applicants must have the ability to work independently on transportation research and have strong communication skills. Salary \$1015.00 per month. Apply by January 19, 1979 to Lewis & Clark Areawide Planning Organization, Denis Vogt, Director, 38 South Last Chance Gulch, Helena, Montana 59601. 406-442-5000. An Equal Opportunity employer.

The penalties are substantial. For the fiscal year ending on September 30, 1979, for example, a state with more than 70% of its drivers exceeding the limit would be penalized 5% of its federal Highway Construction Program funds. For Montana, that would mean the loss of about \$4 million.

At this point, it might be interesting to determine how Montana ranks in relationship to other states in compliance with the speed limit law. In 1977, thirty other states had a larger percent of vehicles exceeding 55-mph than Montana; eight had a higher average speed than Montana's 56.8-mph; and fifteen had a larger percent exceeding 65-mph. Obviously, when the penalties are imposed, we will not be standing alone.

55 costs so little time... Look!					
MILES TRAVELED					
SPEED	10	20	50	100	200
65 MPH	 9 min	 18 min	 46 min	 1 hr 32 min	 3 hr 4 min
60 MPH	 10 min	 20 min	 50 min	 1 hr 40 min	 3 hr 20 min
55 MPH	 11 min	 22 min	 55 min	 1 hr 49 min	 3 hr 38 min
If you think you'd save a lot of time by speeding, look again. These times of travel are based on constant driving speed. Chances are, at speeds greater than 55 mph, you'd be slowing down and speeding up to dodge traffic. That wastes fuel, money, and lives. Drive 55... and save. 4/78					

Reprinted from the 55 MPH FACT BOOK, U. S. Department of Transportation.

Subcommittee Reports on Subdivision Laws

Measures to tighten subdivision review loopholes, expand local review of subdivision sanitation facilities and allow the issuance of bonds to finance subdivision services are among ten recommended to the legislature by the interim legislative Subcommittee on Subdivision Laws.

The subcommittee was formed at the conclusion of the 1977 legislative session to look at "... all Montana's laws concerning subdivisions for the purpose of generally clarifying, updating, supplementing and reviewing those laws."

Testimony at two public hearings helped members of the subcommittee identify five problem areas on which to concentrate their efforts: providing services to subdivisions; the Sanitation in Subdivisions Act; the Montana Environmental Policy Act; rural building codes; the Subdivision and Platting Act.

The subcommittee voted to recommend 10 bills to the legislature to address those problem areas. We've summarized some of the major features of their recommendations below:

PROVIDING SERVICES TO SUBDIVISIONS—

HB 45 SB43

The subcommittee recommended allowing local governments to issue industrial revenue bonds to finance sewer and water facilities for subdivisions, and allowing counties to issue revenue bonds to finance general service for subdivisions, as municipalities may now do.

SANITATION IN SUBDIVISIONS—HB81

For local governments with the personnel and the expertise, the subcommittee recommended delegating to them the health review of subdivisions under a certain size. If the local government reviews and makes the final decision on the subdivision, it receives all filing fees and accepts legal responsibility for its decision. Local governments could also act in an advisory capacity, and receive a portion of the fees.

Amendments would also streamline enforcement procedures, allow the collection of civil penalties for violations and delete the 20-acre limitation on subdivision health review.

MONTANA ENVIRONMENTAL POLICY ACT

The subcommittee recommended no legislation in this area, but urged the legislature to consider the problems involved with applying MEPA to subdivision review. The members discussed the possibility of requiring environmental impact statements only at the request of local governments.

RURAL BUILDING CODES—HB44

The subcommittee recommended minor amendments to clarify the counties' authority to adopt and enforce building codes.

SUBDIVISION AND PLATTING

HB 43 HB46 HB47 HB84 SB42 SB44

The subcommittee recommended substantial changes in subdividing and platting procedures.

Amendments would remove acreage limitations on subdivision review, delete the occasional sale exemption and limit the family conveyance exemption to one per family member. They would also define requirements for a "qualified master plan" that is to be used for denying or approving subdivisions.

Summary review procedures would be set up for the first minor subdivision from a tract, subdivisions containing only parcels larger than 40 acres, subdivisions within the incorporated boundaries of a municipality and those within an area covered by a qualified master plan. The summary review would be quicker and would require fewer things from the subdivider and the local government.

The eight public interest criteria now used to review subdivisions would be replaced by four more specific statements of potential impacts of subdivision developments.

The subcommittee also recommended making the failure of the governing body to act within the statutory periods for subdivision reviews result in automatic approval. *(continued on p. 7)*

OMB: Cut 701 Funds

The federal Office of Management and Budget has recommended cutting funding for the HUD Section 701 Comprehensive Planning Program from the 1980 fiscal year budget, reports the National Association of Regional Councils.

For over two decades, 701 planning assistance funds have provided significant support for comprehensive planning by city, county and state governments in Montana. Since the Federal Housing Act of 1954 first authorized the program, over \$1,500,000 have been distributed to local governments and approximately \$250,000 to Indian reservations to assist planning activities.

In addition, 701 funds have contributed substantially to Montana's efforts to modernize its governmental structure by underwriting a large portion of the costs of the 1969 State Commission on Executive Reorganization, the 1971 Constitutional Convention Commission and the 1974 State Commission on Local Government.

The regional council association reports that HUD is vigorously opposed to the deletion of 701 funds and plans to appeal the OMB decision.

Graphic Displays of State Data

The map shown here, reduced from actual size, illustrates one way of presenting population characteristics in terms of their geographic distribution. It is one of a collection of computer-generated maps presented in MONTANA GRAPHIC PROFILES, the newest publication of the DCA Research and Information Systems Division.

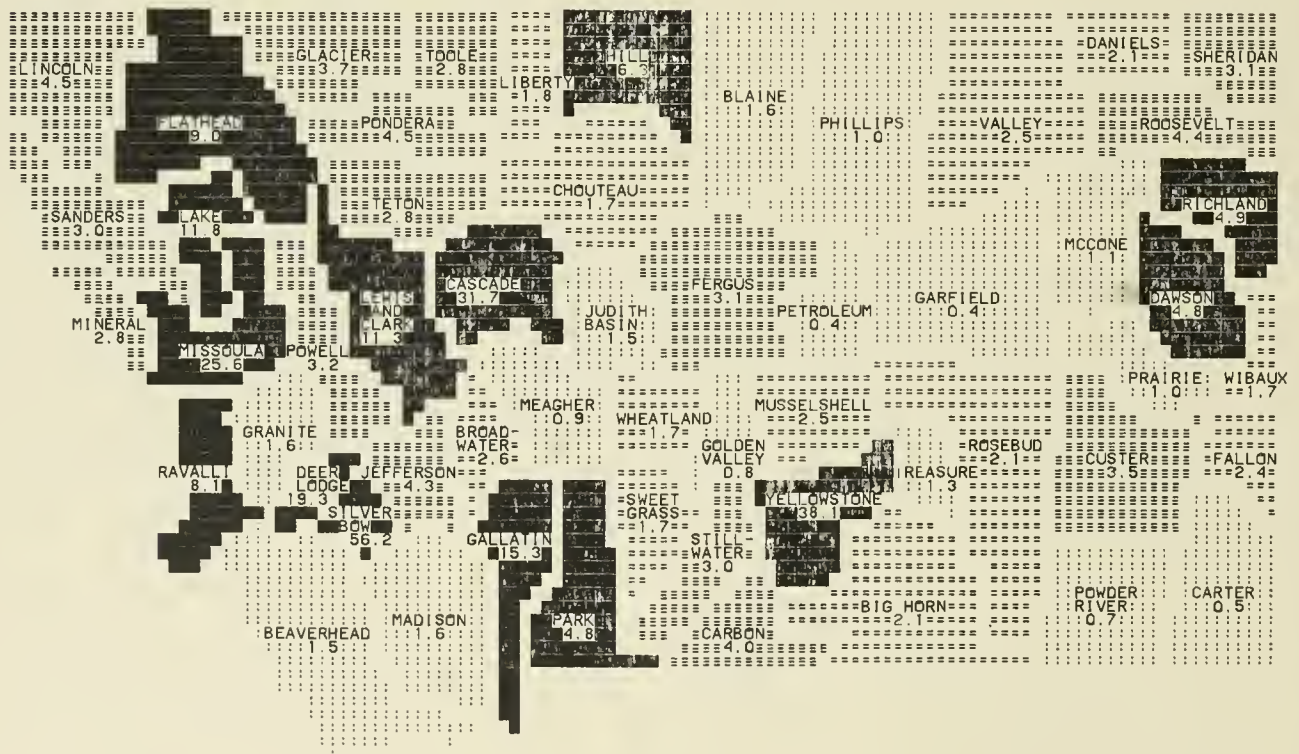
This map shows the estimated number of persons per square mile by county. It is called a quartile map because the 56 counties are divided into 4 categories or quartiles that are distinguished on the map by different patterns. The highest quartile, with the darkest pattern, represents the 14 counties with the highest numbers of persons per square mile; the values range from 4.8 in Park and Dawson counties to 56.2 in Silver Bow County. The counties with the lightest pattern are those in the lowest quartile, with correspondingly lowest density: from .4 in Garfield and Petroleum counties to 1.6 in Blaine, Granite, and Madison counties. The key in the lower right-hand corner of the map shows the estimated population density for the State is 5.2 persons per square mile.

This release of the MONTANA GRAPHIC PROFILES contains 31 analytical maps representing the following 11 subject areas: population, vital statistics and health, education, housing, employment, income, governmental finances, social insurance and welfare, agriculture, business, and crime. It also contains notes, definitions and an appendix that lists all 109 quartile maps available as graphic profiles.

The statistical data that went into the production of these maps are a part of the MONTANA COUNTY PROFILES, published in July, 1978.

Both the MONTANA COUNTY PROFILES and its supplement, the MONTANA GRAPHIC PROFILES, came about largely from the Division's experience in servicing data requests for over 10 years. For example, the Division has been asked for information that would help users identify problems, study their extent and plan ways to solve them through community action projects carried out by the citizens of a neighborhood. Good examples of projects the information has been used for are: 1) setting up a day-care center, 2) establishing adult education programs, 3) planning changes in land use, and 4) undertaking housing improvement programs.

MAP 1.2.0 POPULATION DENSITY: 1977
(PERSONS PER SQUARE MILE OF LAND AREA)



SOURCE: U.S. BUR. OF THE CENSUS
CENSUS OF POPULATION: 1970
V.1, PT.28, MONTANA (IN PART)

LOW QUARTILE
MEDIUM LOW QUARTILE
MEDIUM HIGH QUARTILE
HIGH QUARTILE

MEAN VALUE: 5.1
MEDIAN VALUE: 5.2
STATE VALUE: 5.2

DCA RESEARCH & INFORMATION SYSTEMS DIV.
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- ☐ Please send _____ copy (ies) of MONTANA GRAPHIC PROFILES.
I enclose \$3.00 for each, a total of \$_____. (Make checks payable to Dept. of Community Affairs.)
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- ☐ Please send information for ordering the MONTANA COUNTY PROFILES.

Name _____

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Zip Code _____

HRDC Youth Programs

High school completion, career education and job skills are goals of the youth programs sponsored by the Human Resources Division through the District Human Resources Development Councils.

The programs have similar goals but are offered to groups of different age and circumstance. Funding for programs is through the Comprehensive Employment and Training Act (CETA). Job sites are with private, non-profit agencies and local governments.

Serving the largest number is the Youth Employment and Training Program (YETP). Through this program, 863 young persons from age 14-21 may learn marketable skills by a combination of work, counseling, and continuation of their formal education. Participants are chosen from youth whose family income is at or below 70 percent of the lower level income standard, with preference going to youth with severe problems in finding employment.

The Youth Community Conservation Improvement Project (YCCIP) is based on community planned projects lasting up to one year and producing tangible benefits for the community. In order to assure individual attention, no more than 12 youth are placed under a tradesman's supervision. Schools are asked to grant credit for experience, thus encouraging youth to complete their education. Age eligibility for this program is 16-19. It also focuses on youth who are unemployed with a preference given to youth with severe employment problems.

A special program sponsored by the Rocky Mountain Development Council in Helena is the Florence Crittenton work-experience program. Program focus is on young women 16-19. While the young women continue their education through the local schools, the program offers job skill training along with parenting education and independent living skill training. Age exceptions for those 15 may occur after evaluation of the individual's maturity and needs establish that program participation would be beneficial. Exceptions of those over 19 are made if the young woman is in school or returning to school.

A fourth program, which began operation this fall, is the Experience-Based Career Education Program (EBCE). Youth eligible for participation in either YETP or YCCIP are also eligible for the new program. Unlike the other programs, job sites are within private industry. Job sites are developed for learning potential as well as personal growth potential. Goals of the program include learning skills in interpersonal communication, problem solving, and decision making. The sponsoring HRDC representative works with a field learning coordinator from the school district. Together they evaluate job sites, applicants, and develop a schedule for the student. The student/participant is then scheduled to participate in several job areas over the next year. School credit is given for successful program participation.

For more information regarding these projects, you may contact the DCA Human Resources Division or any of the twelve Human Resources Development Councils.

1979 Senate Committees

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Akilestad, Gary (R)
Hager, Tom (R)
Nelson, Harold C. (R)

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Lowe, William R. (Bill) (R)
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Eichart, Mark (R)
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Smith, Ed B. (R)

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Yardley, Dan (D)
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Dozier, Robert (D)
Gilligan, Peter J. (D)
Robbins, Hershel M. (D)

1979 House Committees

Local Government Code Before Legislature

The 1979 Legislature will be considering an integrated code of laws for Montana's cities, towns and counties. The code will be introduced as thirteen separate bills: Senate Bills 11 through 23.

The proposed code was originally prepared for the 1977 Legislature by the specially created nine-member State Commission on Local Government, a bipartisan group of local government officials and legislators appointed by the Governor. The purpose of the proposed code is to replace 2,500 scattered, repetitive and sometimes conflicting sections of local government law with a more concise and functionally integrated code of 700 sections.

The changes would allow each local government more flexibility in setting its priorities and in deciding how to carry out its functions. At present, state law prescribes in detail not only what a local government may or must do, but often, especially for counties, how the function is to be carried out and the maximum number of mills that may be levied for the purpose.

Since, in 1978, a mill raised \$2,799 in Petroleum County and \$170,243 in Yellowstone County, the separate mill levy maximums can impose serious constraints to carrying out local priorities. The proposed code provides for an all-purpose mill levy limit, with some exceptions, below which the local government must operate. This would, to a much greater degree, allow a local government to establish its own priorities and within the limits of its financial capacity, to decide upon the most effective manner of carrying out its functions.

For example, the county superintendents in some smaller counties have indicated that they feel their jobs might well be tied into the functions of the county treasurer, since they are at their busiest during different times of the year. By requiring the same pattern of operation in all counties, current state law prevents any county from implementing its own solutions to reduce waste, although local officials and citizens may see more efficient and economical alternatives appropriate to their own communities.

A major feature of the proposed code is that it would authorize counties to enact ordinances as cities may now do. It would enable local governments, using their ordinance-making authority, to determine their own administrative organization, including the number, size and powers of citizen boards. Where the provisions of current statutes permit this, some communities have already found it desirable to combine certain boards with related functions. Local officials and citizens have suggested other potentially effective and economical combinations of boards of functions that cannot be achieved at present because of structural constraints under the current law.

In addition to increasing structural and budgeting flexibility, the proposed code would allow local governments, with the consent of their voters, to reduce their current dependence on the property tax as the principal source of revenue by authorizing four local option taxes (income, gasoline, motel/hotel room and motor vehicle registration).

Voter and citizen participation in the bills allow citizens ready access to the processes of local government, while at the same time local officials are afforded the opportunity to improve local government management by developing combinations of provisions for powers, finances, structure and services in patterns most appropriate to their communities.

The legislature faces a difficult task in considering the thirteen separate bills, including deciding two basic questions: 1) can the legislature achieve for local governments the flexibility and authority over their internal affairs while assuring their accountability; 2) can the legislature, working with thirteen separate yet integrated bills, maintain the functional integration of the local government code so the endproduct will be workable for Montana's cities, towns and counties?

Subcommittee Cont.

from p. 3

For subdivisions within the county but adjacent to municipal boundaries, municipal officials would have to determine that roads and sewer and water facilities are compatible with existing systems.

Another amendment would allow local governments to decide whether or not multiple minor subdivisions in an area have a major impact and, if so, to review them as a major subdivision.

Park dedication requirements would be changed from the current acreage formula to require 1,000 square feet of parkland per dwelling unit within a subdivision, and an amendment would allow up to $\frac{1}{3}$ of the cash received in lieu of parkland to be used for park maintenance.

The subcommittee also recommended allowing the creation of special improvement districts and rural improvement districts to develop and maintain parkland, specifying the responsibilities of city and county attorneys and clerk and recorders for the filing of subdivision plats and certificates of survey, and clarifying the exemption from survey requirements for divisions of land created by state highways.

For a free copy of the subcommittee's report, which includes all introduced legislation and useful background documents, contact the Legislative Council, Capitol Station, Helena, MT 59601/449-3064.

WHAT CAN COMPUTERS DO FOR ME?

The following is the first in a series of articles reprinted from a 1977 DCA publication, A Computer Procurement Overview for Montana Local Governments by James Rizza, Division of Local Government Services. The initial installment deals with assessing Electronic Data Processing needs in local government. Future articles will explore how much computer capability is needed, the intricacies of negotiating with computer suppliers and guidelines for writing EDP purchasing contracts. These articles are not intended to promote computerization in Montana local government, but rather to present some fundamental considerations for those local government units interested in determining if they might benefit from the use of a computer.



Do you need a computer system?.....

First, Allay Some Common Fears

The computer system will cut jobs.

It is feasible that the introduction of a computer system could reduce the work force, but it will more likely leave personnel levels the same or even increase them. Skills for instructing the machine, formatting data entry and operating the system become necessary. In many instances, with today's smaller, simpler machines, non-data processing personnel can acquire these skills quickly and easily. So the existing staff can assimilate the new duties required to computerize. Larger systems may necessitate hiring data-processing professionals.

The computer system will eliminate middle management.

The computer is merely a tool that needs to be instructed in great detail how to perform a desired operation. A computer cannot "think". Human beings are required to make intelligent decisions.

The computer will reduce operating costs.

Frequently true . . . , over a long period of time, though generally not for reasons of personnel reduction. The use of a computer system demands precision and thus encourages personnel efficiency. Also, once the computer system has been implemented, and if it was properly chosen, it has the capability to absorb new applications without necessitating a staff increase.

Only systems technicians can understand computers.

If we get one, we will be at their mercy.

Again, a computer system is just a tool designed to perform a relatively limited set of operations. The user need not understand the intricacies of the computer's internal operation any more than a driver needs to understand precisely what is happening under the hood of an automobile. All that is important is that the user understands what the computer can do for him or her.

General Reasons Many Buy—Some Good, Some Poor

The *good* reasons some local governments *should* buy:

- A computer system will improve productivity.
- A computer system will increase effectiveness.
- A computer system will enhance service delivery.
- A computer system will help provide the growth capability needed.

The *poor* reasons some local governments *do* buy:

—Other, similar organizations have them, *ergo*, so should ours.

—A computer system will reduce personnel requirements.

—A computer system will cut paperwork.

—A computer system will provide easy, immediate problem solving.

—We have this grant available . . . , why not a computer?

—A computer system will save alot of money.

Next Month: Where to Begin

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